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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/742,373	11/01/96	FRY	W FRY-00102/29

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EXAMINER

ARTHUR, G

ART UNIT	PAPER NUMBER
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3614

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DATE MAILED: 06/08/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

See attached

Office Action Summary

Application No.

08/742,373

Applicant(s)

William R. Fry

Examiner

Gertrude Arthur

Group Art Unit

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☒ Responsive to communication(s) filed on Nov 1, 1996

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-17 is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-17 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

Substitute

☒ See the attached ~~Notice of Draftsperson's Patent Drawing Review~~, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brisson (U.S. Patent No. 5,335,188) in view of Masumoto (U.S. Patent No. 5,210,540) .

As to claim 1, Brisson discloses a sports computer system adapted for use with a personal computer wherein it discloses a sensor supported to travel with a user of the system considered as the wheel motion sensor (See column 7, lines 66-67) the output signal from the sensor is obviously related to the operational environment of the system. Brisson discloses a mobile enclosure adapted to travel with the user considered as enclosure shown in Fig. 5.. Brisson discloses the means for accessing the contents of the memory by a personal computer to display the information associated with the operational environment as a function of the geographical position of the user as the enclosure comprises a memory and wherein an external computer is accessing the cycle computer as data is transferred and displayed (See column 8, lines 12-16).

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Brisson fails to specifically disclose that the enclosure contained a GPS satellite receiver, a memory and a controller. In an analogous art, Masumoto discloses a global position system for use in a vehicle wherein it determines the position of an object that comprises a controller (See column 1, line 60). Wherein the controller receives a signal from the GPS receiver, the GPS receiver also has a memory for storing data relating to the position (See column 3, lines 10-20). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Brisson with that of Masumoto by having a gps receiver and controller in the system in order to better position the vehicle to be capable of producing data.

As to claim 2, Brisson discloses in Fig. 2 a cyclist and an enclosure that can be mounted to the user's cycle.

As to claim 3, Brisson discloses the display of information as discussed but fails to specifically disclose a GPS receiver that includes altitude information. In an analogous art, Masumoto discloses a GPS receiver system wherein relative altitude is detected (See abstract, lines 10-12). It is rejected on the same ground as claim 1.

As to claims 4-6, Brisson discloses in Fig. 4 as displayed the speed of the bicycle and furthermore discloses other parameters and store cadence information for later review on the personal computer (See column 7, lines 14-26).

As to claims 7-8, Brisson discloses a sensor as discussed for carrying information. Moreover, Brisson discloses that the user's heart rate may be saved and displayed for comparison

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(See column 7, lines 27-28) therefore, it would have been obvious to use a sensor for carrying information relating to the physiology of the user to better monitor the performance of the user.

As to claims 14-17, Brisson discloses the accessing of the memory by a personal computer as discussed wherein there is obviously a cable or computer interface port is used for connecting the computer to the module and further wherein the information related to the bicycle is displayed. Brisson discloses a non-volatile memory and a software executable on the personal computer (See column 4, lines 10-14; column 8, lines 1-16).

3. Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brisson and Masumoto as applied to claim 1 above, and further in view of Arpino (U.S. Patent No. 4,163,216).

As to claims 9-13, Brisson and Masumoto fail to specifically disclose an electronic compass enabling the controller to determine and store direction information nor the references disclose the weather condition is temperature, wind speed and wind direction. In an analogous art, Arpino discloses a system for transmitting weather information wherein it discloses signal sources obviously sensed from some type of weather transducer and generates the weather information to a microcomputer wherein the signals sources include the temperature, wind speed, wind direction and barometric pressure transducers (See column 8, lines 5-11). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Brisson and Masumoto with the weather information as taught by Arpino and sending such information to a computer in order to allow pertinent information to be transmitted.

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. .

Downs (U.S. Patent No. 5,629,668) discloses a data display unit for a bicycle.

Brunt et al. (U.S. Patent No. 5,008,647) disclose a wireless bicycle wheel monitor system.

Tsuyama (U.S. Patent No. 4,642,606) disclose a data display unit for a bicycle.


Nobe et al. (U.S. Patent No. 5,506,774) disclose a navigation apparatus.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur whose telephone number is (703) 308-7564. The examiner can normally be reached on Tuesday-Friday from 8:30 a.m to 6:00 p.m and every first Monday of the bi-week from 8:30 a.m to 6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski, can be reached on (703) 308-3873. The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

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May 28, 1998


WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
GROUP 3600